

S.J.R. No. 34

SENATE JOINT RESOLUTION

proposing a constitutional amendment relating to the authority of the legislature to provide by general or special law for the creation, establishment, maintenance, and operation of a hospital district.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. Article IX, Section 9, of the Texas Constitution is amended to read as follows:

Sec. 9. The Legislature may by *general or special* law provide for the creation, establishment, maintenance and operation of hospital districts composed of one or more counties or all or any part of one or more counties with power to issue bonds for the purchase, construction, acquisition, repair or renovation of buildings and improvements and equipping same, for hospital purposes; providing for the transfer to the hospital district of the title to any land, buildings, improvements and equipment located wholly within the district which may be jointly or separately owned by any city, town or county, providing that any district so created shall assume full responsibility for providing medical and hospital care for its needy inhabitants and assume the outstanding indebtedness incurred by cities, towns and counties for hospital purposes prior to the creation of the district, if same are located wholly within its boundaries, and a pro rata portion of such indebtedness based upon the then last approved tax assessment rolls of the included cities, towns and counties if less than all the territory thereof is included within the district boundaries; providing that after its creation no other municipality or political subdivision shall have the power to levy taxes or issue bonds or other obligations for hospital purposes or for providing medical care within the boundaries of the district; providing for the levy of annual taxes at a rate not to exceed seventy-five cents (75¢) on the One Hundred Dollar valuation of all taxable property within such district for the purpose of meeting the requirements of the district's bonds, the indebtedness assumed by it and its maintenance and operating expenses, providing that such district shall not be created or such tax authorized unless approved by a majority of the qualified *voters* ~~[property-taxpaying electors]~~ thereof voting at an election called for the purpose; and providing further that the support and maintenance of the district's hospital system shall never become a charge against or obligation of the State of Texas nor shall any direct appropriation be made by the Legislature for the construction, maintenance or improvement of any of the facilities of such district.

Provided, however, that no district shall be created *by special law* except ~~[by act of the Legislature and then only]~~ after thirty (30) days' public notice to the district affected, and in no event may the Legislature provide for a district to be created without the affirmative vote of a majority of the *qualified* ~~[taxpaying]~~ voters in the district concerned.

The Legislature may also provide for the dissolution of hospital districts provided that a process is afforded by statute for:

- (1) determining the desire of a majority of the qualified voters within the district to dissolve it;
- (2) disposing of or transferring the assets, if any, of the district; and
- (3) satisfying the debts and bond obligations, if any, of the district, in such manner as to protect the interests of the citizens within the district, including their collective property rights in the assets and property of the district, provided, however, that any grant from federal funds, however dispensed, shall be considered an obligation to be repaid in satisfaction and provided that no election to dissolve shall be held more often than once each year. In such connection, the statute shall provide against disposal or transfer of the assets of the district except for due compensation unless such assets are transferred to another governmental agency, such as a county, embracing such district and using such transferred assets in such a way as to benefit citizens formerly within the district.

SECTION 2. Article IX of the Texas Constitution is amended by adding Section 9B to read as follows:

Sec. 9B. The legislature by general or special law may provide for the creation, establishment, maintenance, and operation of hospital districts located wholly in a county with a population of 75,000 or less, according to the most recent federal decennial census, and may authorize the commissioners court to levy a tax on the ad valorem property located in the district for the support and maintenance of the district. A district may not be created or a tax levied unless the creation and tax are approved by a majority of the registered voters who reside in the district. The legislature shall set the maximum tax rate a district may levy. The legislature may provide that the county in which the district is located may issue general obligation bonds for the district and provide other services to the district. The district may provide hospital care, medical care, and other services authorized by the legislature.

SECTION 3. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 7, 1989. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment granting to the people the right to decide whether to create and maintain hospital districts to protect the public well-being in a manner independent of the legislature."

Adopted by the Senate on March 30, 1989, by the following vote: Yeas 29, Nays 0.

Adopted by the House on May 8, 1989, by the following vote: Yeas 137, Nays 0, one present not voting.

Filed with the Secretary of State, May 16, 1989.

S.J.R. No. 44

SENATE JOINT RESOLUTION

proposing a constitutional amendment to eliminate certain time limitations relating to the issuance of Texas agricultural water conservation bonds.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. Article III, Section 50-d(e), of the Texas Constitution is repealed.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 7, 1989. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to eliminate certain time limitations relating to the issuance of Texas agricultural water conservation bonds."

Adopted by the Senate on April 3, 1989, by the following vote: Yeas 31, Nays 0.

Adopted by the House on May 18, 1989, by the following vote: Yeas 142, Nays 0.

Filed with the Secretary of State, May 23, 1989.

S.J.R. No. 53

SENATE JOINT RESOLUTION

proposing a constitutional amendment relating to the guarantee by the permanent school fund of bonds issued by the state to fund local schools.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. That Article VII, Section 5(b), of the Texas Constitution be amended to read as follows:

(b) The legislature by law may provide for using the permanent school fund and the income from the permanent school fund to guarantee bonds issued by school districts or by the state for the purpose of making loans to or purchasing the bonds of school districts for the purpose of acquisition, construction, or improvement of instructional facilities including all furnishings thereto. If any payment is required to be made by the permanent school fund as a result of its guarantee of bonds issued by the state, an